IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated : Nainital the 13th February, 2006

Bail Application No. 1185 of 2005

Order on the bail application of accused

CRIMINAL SIDE

1. Fakeer Mohammad @ Fakira
   S/o Farjand Ali
2. Smt. Bashiran
   W/o Fakeer Mohammad @ Fakira
   Both R/o Village Mehuwala Mafi Haramjiwala
   Police Station – Patel Nagar
   District - Dehradun ..... Applicant

Versus

State of Uttaranchal .....Opposite Party

In Case Crime No. 204 of 2005
U/s 498A & 304B of I.P.C.
Police Station – Patel Nagar
District - Dehradun

Hon'ble J.C.S. Rawat, J.

Heard Sri K.S. Verma, learned counsel for the applicants, learned AGA for the State and perused the record.

It is an admitted case that the applicants are 62 years of age. Perusal of F.I.R. and record reveals that the allegations made against the mother-in-law and father-in-law are of general nature. In the F.I.R. as well as in other statement, it has not been averred that the father-in-law and mother-in-law have committed cruelty on Smt. Momina before death.

Considering the facts and circumstance of the case in totality, it is a fit case for bail.

Let the applicant-accused, Fakeer Mohammad and Smt. Bashiran be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S. Rawat, J.)

Dated 14.02.2006
Shiv